IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL, CIVIL JURISDICTION

WRIT PETITION (LODG.) NO.2471 OF 2006

Durgadevi Co-op. Housing Soceity

Ltd. (Proposed) ..Petitioners

Vs.

The Slum Rehabilitation Authority

& Ors. ...Respondents

Mr. Swapnil Bangur i/b. Nitin Shukla for the petitioner
Mr. G.D. Utangale, for respondent No.1.
Mr. Biendra Saraf with Mr. Y.N. Adhia, for respondent Nos. 4 and 5.

CORAM: F.I. REBELLO &
ANOOP V. MOHTA, JJ.

DATE: 13TH NOVEMBER,2006

P.C.

. We have perused the prayer clauses. There is already an Annexure II which means that those eligible are included in that Annexure and only they are entitled for permanent alternate accommodation and pending the construction of the permanent building to transit accommodation.

2. Even if the grievance of the petitioner that there are others whose names are not included in the Annexure II, but who are eligible, the proper remedy in such a case is to prefer an Appeal against the rejection of their claims. It is for those individual and/or if the society can sponsor their

case to prefer such an Appeal. Without so doing the petitioners cannot come before this Court and more so to quash the Annexure which will have the effect of negating the claim or denying the claim of those who have been already held eligible. Under these circumstances we leave it to those who claim they are eligible and/or the petitioner on behalf if the petitioner can prefer an appeal on their behalf to move the appropriate forum and it is for the appropriate forum to decide the same. With the above observation, petition stands disposed of. All interim orders stand vacated.

(**F.I. REBELLO, J)**

(**ANOOP V. MOHTA J).**